

REMARKS

This Amendment is responsive to the Office Action dated February 26, 2004.

Claims 1-20 were pending in the application. In the Office Action, claims 1-20 were rejected, and claims 9, 11 and 19 were objected to. In this Amendment, claims 1, 9, 11 and 19 have been amended. Claims 1-20 thus remain for consideration

Applicants submit that claims 1-20 are now in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

§102 and 103 Rejections

Claims 1, 3, 11 and 13 were rejected under 35 U.S.C. §102(e) as being anticipated by Ismail et al. (U.S. Patent No. 6,614,987).

Claims 2 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail as applied to claims 1 and 11, and further in view of Segman (U.S. Patent No. 6,301,619), and further in view of Shah-Nazaroff et al. (U.S. Patent No. 6,317,881).

Claims 4 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail as applied to claims 3 and 13, and further in view of Shah-Nazaroff, and further in view of Lalwer (U.S. Patent No. 5,758,259).

Claims 5 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail as applied to claims 1 and 11, and further in view of Amano et al. (U.S. Patent No. 5,585,865).

Claims 6 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail as applied to claims 1 and 11, and further in view of Schulhof et al. (U.S. Patent No. 5,572,442).

Claims 7 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail, and further in view of Schulhof as applied to claims 6 and 16, and further in view of Sprague et al. (U.S. Patent No. 5,247,575).

Claims 8 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail as applied to claims 1 and 11, and further in view of Hendricks et al. (U.S. Patent No. 5,798,785).

Claims 9 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail, and further in view of Hendricks as applied to claims 8 and 18, and further in view of Seth-Smith et al. (U.S. Patent No. 4,829,569).

Claims 10 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ismail, and further in view of Hendricks, and further in view of Seth-Smith as applied to claims 1 and 11, and further in view of Sprague.

Applicants respectfully submit that the independent claims (claims 1 and 11) are patentable over Ismail, Segman, Shah-Nazaroff, Lalwer, Amano, Schulhof, Sprague, Hendricks and Seth-Smith.

Applicants' invention as recited in the independent claims is directed toward a broadcasting system and receiving apparatus which receive digital contents and corresponding attributive information. Each of the claims recites a recording medium for recording the received digital contents and attributive information, and a selecting means for selecting from the digital contents by comparing selective information showing a user's taste with the attributive information. Each of the claims further recites that "when the [system/apparatus] is outputting

contents recorded in said recording medium, the [system/apparatus] is operable to employ said selecting means to allow playback of only selected contents from among all contents recorded in said recording medium by comparing said selective information showing a user's taste with the attributive information of the contents recorded in said recording medium.”

None of the cited references discloses selectively playing back contents recorded on a recording medium by employing a selecting means that filters the contents recorded in the recording medium by comparing selective information showing a user's taste with attributive information corresponding to the contents recorded in the recording medium. Accordingly, Applicants believe that claims 1 and 11 are patentable over the cited references – taken either alone or in combination – on at least this basis.

Claims 2-10 depend on claim 1. Since claim 1 is believed to be patentable over the cited references, claims 2-10 are believed to be patentable over the cited references based at least on their dependency on claim 1.

Claims 12-20 depend on claim 11. Since claim 11 is believed to be patentable over the cited references, claims 12-20 are believed to be patentable over the cited references based at least on their dependency on claim 11.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the

requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants' undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

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